REMARKS

This is in response to the Office Action dated October 25, 2006. In view of the foregoing amendments and following representations, reconsideration is respectfully requested.

On page 2 of the Office Action, the Examiner objects to the specification based on a number of informalities. Accordingly, the specification and abstract have been reviewed and revised in order to overcome the objections and to make other editorial amendments. Due to the nature of the revision involved, a substitute specification and abstract has been prepared. No new matter has been added. Also enclosed is a "marked-up" copy of the original specification and abstract to show the changes that have been incorporated into the substitute specification and abstract. The enclosed copy is entitled "*Version with Markings to Show Changes Made*."

In view of the presentation of the substitute specification and abstract, it is submitted that the objections to the abstract are now clearly obviated.

Further, original claims 1-12 have been cancelled and replaced with new claims 13-19. Each of the new claims has been drafted to comply with the provisions of 35 U.S.C. 112, second paragraph and to more clearly define the novel features of the present invention. Note that claims 13-16 are readable on the elected species.

Next on page 3 of the Office Action, claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Chen et al. (U.S. Patent Application Publication 2001/0037771). It is submitted that the present invention, as embodied by the new claims, now clearly distinguishes over the Chen reference for the following reasons.

The present invention, as defined in independent claim 13, is directed to a dry etching apparatus including a ring for encompassing an outer peripheral edge portion of the substrate in proximity to the outer peripheral edge portion of the substrate. The ring provides a clearance between an upper surface of the substrate and an opposing surface of the ring, and the clearance is not smaller than 0.1 mm and not greater than 0.5 mm. As described in the specification, as originally filed, with these specific dimensions, a uniform electric field can be optimally generated, and thus the phenomenon of excessive generation of the plasma sheath at the outer peripheral edge portion is restrained. Accordingly, with the claimed arrangement, uniform plasma processing can more reliably be achieved.

In contrast, **Chen** discloses a plasma CVD (chemical vapor deposition) apparatus, which is different than the etching apparatus of claim 1. The Chen apparatus includes a support member 60 for supporting a wafer 20 and a shadow ring 40. The ring 40 provides an exclusionary zone where no deposition occurs at the edge of the wafer 20. The ring also has a shield portion that is held about 5 to 10 mils (presumably mm) above the wafer.

Thus, it is clear that Chen does not disclose a dry etching apparatus or the specific clearance recited in new independent claim 13. Since Chen does not meet each and every limitation of claim 13, it cannot anticipate claim 13 under 35 U.S.C. 102(b). Note that claims 14-16 depend, directly or indirectly from claim 13, and thus are allowable at least by virtue of their dependencies.

In view of the above, it is submitted that the present application is now clearly in condition for allowance. The Examiner therefore is requested to pass this case to issue.

In the event that the Examiner has any comments or suggestions of a nature necessary to place this case in condition for allowance, then the Examiner is requested to contact Applicant's undersigned attorney by telephone to promptly resolve any remaining matters.

Respectfully submitted,

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